

ENTERED

March 31, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

THE STATE OF TEXAS; GUN OWNERS OF AMERICA, INC.; GUN OWNERS FOUNDATION; and BRADY BROWN,

Plaintiffs,

V.

Civil Action No. 6:23-CV-00013

U.S. BUREAU OF ALCOHOL,
TOBACCO, FIREARMS AND
EXPLOSIVES; U.S. DEPARTMENT OF
JUSTICE; and STEVEN M.
DETTELBACH, Director of the U.S.
Bureau of Alcohol, Tobacco, Firearms
and Explosives, in his official capacity,

Defendants.

ORDER

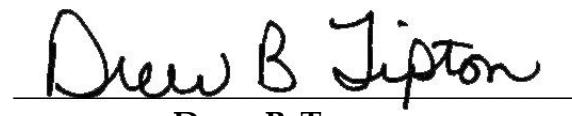
Plaintiffs filed this Civil Action on February 9, 2023, seeking declaratory and injunctive relief restraining Defendants from enforcing various parts of a Final Rule issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) on January 31, 2023, entitled “Factoring Criteria for Firearms with Attached ‘Stabilizing Braces.’” (Dkt. No. 1); *see* 88 Fed. Reg. 6,478 (Jan. 31, 2023). On March 6, 2023, Plaintiffs filed a Motion for Preliminary Injunction. (Dkt. No. 16).

On March 30, 2023, the Hon. Reed O'Connor in the Northern District of Texas denied a preliminary injunction in a case challenging the same Final Rule. *Mock v. Garland*, No. 4:23-CV-00095 Dkt. No. 40. The Court ORDERS the Parties to submit

briefing within 14 days from the date of this Order discussing how *Mock v. Garland* impacts the issues in the pending Motion for Preliminary Injunction in this case.

It is SO ORDERED.

Signed on March 31, 2023.


Drew B. Tipton
DREW B. TIPTON
UNITED STATES DISTRICT JUDGE